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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,871	12/14/2001	Werner Anweiler	A-2874	8052

7590

01/15/2003

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EXAMINER

HINZE, LEO T

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/016,871

Applicant(s)

ANWEILER ET AL.

Examiner

Leo T. Hinze

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: number 26.
2. The drawings are objected to because Figure 3 uses similar data delimiters, i.e. diamonds, squares, and triangles, for multiple lines of data, which makes it unclear which data lines are meant to represent the different test cases.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 2 and 3 are objected to because of the following informalities:

Claims 2 and 3 recite the limitation "the ink stripe length" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Luser, et al.

Regarding claim 1, Luser teaches a method of adjusting a quantity of ink supplied to a printing material by a printing machine, which comprises adjusting the quantity of ink as a function of the printing speed (e.g. col. 2, lines 19-23), and including, upon the occurrence of a change in the printing speed (e.g. col. 2, lines 22-23), making a change in the quantity of ink as a function of area coverage (e.g. col. 2, line 25) to be printed.

Regarding claim 4, Luser teaches a method of adjusting a quantity of ink supplied to a printing material by a printing machine, which includes changing the quantity of ink by changing an inking zone level (e.g. col. 2, line 30-31), the inking zone level representing the thickness of the ink with which the ink is applied to a ductor roller.

Regarding claim 5, Luser teaches a method of adjusting a quantity of ink supplied to a printing material by a printing machine, which includes differently adjusting the inking zone level for inking zones (e.g. col. 2, lines 15-16), and using a prescribed area coverage (e.g. col. 1, line 64) of one inking zone for controlling the quantity of ink for the inking zone.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior

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art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luser, et al., in view of Rambausek.

Luser teaches all that is claimed as discussed in the above rejection of claim 1, including storing characteristics for parameters (ink zone slide gap width, e.g. col. 2, lines 47-50) that control the amount of ink applied to the ink duct roller for various area coverages as a function of the printing speed and, upon the occurrence of a change in the printing speed, varying the ink applied to the ink duct roller in accordance with a respective characteristic (claim 3).

Luser does not teach a method of adjusting a quantity of ink, which includes changing the ink stripe length for adjusting a requisite quantity of ink (claim 2).

Rambausek teaches a method of adjusting a quantity of ink supplied to a printing material by a printing machine, which includes changing the ink stripe length for adjusting a requisite quantity of ink (claim 2).

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Regarding claim 2, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Luser to also vary the ink stripe length for adjusting a requisite quantity of ink, because Rambauser teaches that varying the ink stripe length is advantageous for delivering the exact quantity of ink which is required in the respective area in accordance with the ink requirement.

Regarding claim 3, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Luser to also store characteristics for the ink stripe length and, upon the occurrence of a change in the printing speed, varying the ink applied to the ink duct roller in accordance with a respective characteristic, because Rambauser teaches that ink stripe length is a parameter of the ink system that controls how much ink is applied, similar to the Luser, which teaches that ink slide gap width is a parameter of the ink system that controls how much ink is applied, and Luser teaches that it is desirable to store characteristics of parameters so that surface coverage is maintained constant independent from the printing speed.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luser, et al., in view of Muller, et al and Rambauser.

Luser teaches a device for printing a printing material, comprising an ink duct having an ink duct roller, a ductor roller, and a transfer roller, said transfer roller serving for transferring a quantity of ink transferable from said ductor roller to the printing material via further rollers, a control device (40), said control device being connected to a memory having stored therein values for an ink parameters as a function of the printing speed and an area coverage to be

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printed, said control device serving for adjusting the ink parameters as a function of the printing speed and the area coverage.

Lusar does not teach a pivotable ductor roller, said ductor roller being bringable into contact both with said ink duct roller and said transfer roller, a control device for adjusting a contact length of said ductor roller on said ink duct roller as a function of printing speed.

Rambauser teaches that ink stripe length is a parameter of the ink system that affects ink thickness, as discussed above.

Muller teaches a ductor roller (22), pivotable between the ink fountain roller and a first inking roller.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lusar to include a pivotable ductor roller, because Muller teaches that a pivotable ink duct roller can vary the ink stripe width.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Lusar to store values for an ink stripe length as a function of printing speed and an area coverage to be printed, and to use a control device to control the ink stripe width varying mechanism, because Rambauser teaches that ink stripe length is a parameter of the ink system that controls how much ink is applied, similar to the Lusar, which teaches that ink slide gap width is a parameter of the ink system that controls how much ink is applied, and Lusar teaches that it is desirable to store characteristics of parameters and use a control system to control the parameters so that surface coverage is maintained constant independent from the printing speed.

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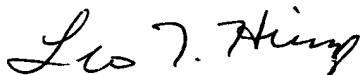
Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

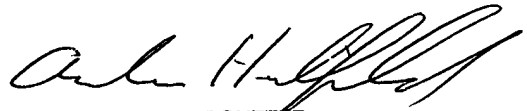
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is (703) 305-3339. The examiner can normally be reached on M-F 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0952.



Leo T. Hinze
Patent Examiner
AU 2854
January 13, 2003



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